

STATE OF NEW JERSEY
Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement
Dkt No. 12-0430-VC

STATE OF NEW JERSEY, DEPARTMENT)
OF LAW AND PUBLIC SAFETY,)
DIVISION OF GAMING ENFORCEMENT,)
)
Petitioner,)
)
v.)
)
TRUMP TAJ MAHAL ASSOCIATES, d/b/a)
TRUMP TAJ MAHAL CASINO RESORT,)
)
Respondent.)
)

ORDER

The Division filed a complaint on June 21, 2012, Docket No. 12-0430-VC, seeking sanctions against TRUMP TAJ MAHAL ASSOCIATES ("Taj Mahal") for reasons set forth therein and, more specifically, that Taj Mahal failed to operate and supervise the game of Mini-Baccarat and, further, failed to detect irregularities in the game; and

Having considered the relevant provisions of the Casino Control Act, N.J.S.A. 5:12-1 et seq., and the regulations promulgated thereunder, specifically N.J.A.C. 13:69F-7.5(a), N.J.A.C. 13:69D-1.11(b)1, and N.J.A.C. 13:69D-1.12(a) and (b)2; and

Having considered the Stipulation of Settlement which the parties executed and

finding sufficient legal and factual support for the recommended penalty therein.

I hereby **ORDER** that the settlement be adopted and that a civil penalty in the aggregate amount of \$91,236 be imposed upon Taj Mahal, payable upon receipt of an invoice from the Division.

Dated:

June 25, 2012

A handwritten signature in dark ink, appearing to read "David L. Rebeck", written over a horizontal line.

DAVID L. REBUCK
DIRECTOR

JEFFERY S. CHIESA

Attorney General of New Jersey
Attorney for Complainant
State of New Jersey
Department of Law and Public Safety
Division of Gaming Enforcement
1300 Atlantic Avenue
Atlantic City, New Jersey 08401

By: R. Lane Stebbins
Deputy Attorney General
(609) 317-6218

STATE OF NEW JERSEY
DOCKET NO: 12- 0430-VC

STATE OF NEW JERSEY, DEPARTMENT)	
OF LAW AND PUBLIC SAFETY,)	
DIVISION OF GAMING ENFORCEMENT,)	
)	
Complainant,)	Civil Action
)	
v.)	STIPULATION OF
)	SETTLEMENT
TRUMP TAJ MAHAL ASSOCIATES,)	
d/b/a TRUMP TAJ MAHAL CASINO RESORT,)	
)	
Respondent.)	
)	

The above-captioned matter having been discussed by and between the parties involved, Jeffery S. Chiesa, Attorney General of New Jersey, attorney for Complainant State of New Jersey, Department of Law and Public Safety, Division of Gaming Enforcement by R. Lane Stebbins, Deputy Attorney General, and Frederick T. Cunningham, Esq., Vice President of Legal Affairs for Respondent, Trump Taj Mahal Associates, LLC, d/b/a/ Trump Taj Mahal Casino Resort the following facts have been

agreed upon and stipulated.

Preliminary Statements

1. Respondent, Trump Taj Mahal Associates (hereinafter "Taj Mahal") is a New Jersey enterprise having its principal place of business located at 1000 Boardwalk at Virginia Avenue, Atlantic City, New Jersey.

2. Taj Mahal is the holder of a casino license first issued on or about March 29, 1990. At all times relevant herein, Taj Mahal was authorized to conduct casino gaming within its casino hotel facility.

Applicable Law

3. N.J.A.C. 13:69F-7.5(a) provides, in pertinent part, that, for the game of mini baccarat:

Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each shoe of cards is completed, the dealer shall shuffle the cards so that they are randomly intermixed.

4. N.J.A.C. 13:69D -1.12(a) provides, in pertinent part, that:

Each casino licensee shall employ the personnel herein described in the operation of its casino and casino simulcasting facility, subject to the limitations imposed by N.J.A.C. 13:69D-1.11(a).

* * *

Each casino licensee shall at all times ensure the proper operation and effective supervision of all authorized games and simulcast wagering in the casino and casino simulcasting facility.

5. N.J.A.C. 13:69D -1.12(b)2 provides, in pertinent part, that:

Floorperson shall be a supervisor assigned the responsibility for supervising the operation and conduct of all table games, including Poker.

6. N.J.A.C. 13:69d-1.11(b)1 provides, in pertinent part, that each casino licensee shall have:

A surveillance department supervised by a person referred herein as the director of surveillance. The director of surveillance shall be subject to the reporting requirements specified in (c) below. The surveillance department monitoring room shall be supervised by a casino key employee who shall be present in the room at all times or, if not present, be within immediate contact and at a known location on the premises. The surveillance department shall be responsible for, without limitation, the following:

i. The clandestine surveillance of the operation and conduct of the table games and bill changers,

vii. The detection of cheating, theft, embezzlement, and other illegal activities in the casino, casino simulcasting facility, count rooms, slot booths, and cashiers' cage.

Facts and Admissions

6. The Division, by Complaint filed June 21, 2012, Docket No. 12-0430-VC, a copy is attached as Exhibit "A", sought sanctions against Taj Mahal for

reasons set forth therein and, more specifically that on December 10, 2011, Taj Mahal

- a. failed to shuffle 8 decks of cards prior to placing the card in play at the game of Mini-Baccarat;
- b. permitted play to commence with unshuffled cards;
- c. permitted play to continue with unshuffled cards for approximately 3 ½ hours; and
- d. Failed to detect, either by games supervision or by surveillance, the fact that unshuffled cards were in play.

7. Taj Mahal admits the allegations in Count I of the complaint, and acknowledges that on December 10, 2011, at Mini-Baccarat Table 312, it placed unshuffled cards into play in violation of N.J.A.C. 13:69F-7.5(a).

8. Taj Mahal admits the allegations in Count II of the complaint, and acknowledges that the supervisory personnel assigned to the game failed to adequately perform their job duties in violation of N.J.A.C. 13:69D -1.12(b)2 and N.J.A.C. 13:69d-1.11(b)1.

9. Taj Mahal admits the allegations in Count III of the complaint, and acknowledges that its surveillance department failed to adequately monitor the operation of Mini-Baccarat on December 10, 2011 in violation of N.J.A.C. 13:69d-1.11(b)1.

10. Taj Mahal admits the allegations in Count IV of the complaint, and acknowledges that the supervisory personnel assigned to the surveillance department, subsequent to notice from games personnel of possible irregularities at Mini-Baccarat on December 10, 2011, failed to adequately perform their job duties in that the surveillance personnel were not directed more closely monitor the game in violation of N.J.A.C. 13:69d-1.11(b)1.

11. Taj Mahal admits that by its regulatory violations, the State of New Jersey lost tax revenue in the amount of \$36,236.

Prior Regulatory History of the Licensee

12 Within the prior three years, Taj Mahal has been the subject of various regulatory actions, including formal administrative complaints, but it has not been the subject of violations of the specific regulations cited above.

Corrective Action Of The Licensee And Mitigating Factors

13. A total of nine (9) games department employees involved in this incident were terminated including the Casino Shift Manager, three (3) Dual Rate Floorperson/Assistant Shift Managers, one (1) Floor person, one (1) Dual Rate Floorperson/Dealer, one (1) Dealer and Two (2) Part Time Dealers.

14. Since this incident the Taj Mahal has completed the installation of a

\$2.2 million Pelco Endura Digital Recording System which has greatly enhanced surveillance capabilities. In addition, the surveillance department has added eight (8) officers to its staff.

Settlement Agreement

IT IS THEREFORE AGREED AND STIPULATED by and between the parties hereto that:

- A. The facts stated herein are true and accurate.
- B. Taj Mahal admits that it violated the provisions of the Act and the regulations, specifically N.J.A.C. 13:69F-7.5(a), N.J.A.C. 13:69D -1.12(a), N.J.A.C. 13:69D -1.12(b)2 and N.J.A.C. 13:69d-1.11(b)1;
- C For the violations admitted in Paragraph B of this stipulation, Taj Mahal, shall pay to the New Jersey Casino Revenue Fund, as a civil penalty pursuant N.J.S.A. 5:12-129(5), and in recognition of the provisions of N.J.S.A. 5:12-130, the sum of \$55,000;
- D. For the violations admitted in Paragraph B and specifically ~~Paragraph 11 of this stipulation, Taj Mahal, shall pay to the New Jersey Casino~~

Revenue Fund, as a civil penalty pursuant N.J.S.A. 5:12-129(5), and in recognition of the provisions of N.J.S.A. 5:12-130, the sum of \$36,236


E. The parties agree that a monetary penalty, in the total amount of \$91,236 is just and equitable and in accordance with the criteria set forth in N.J.S.A. 5:12-130, and shall be in full and final settlement of the allegations set forth in the above-captioned complaint.

The undersigned consent to the form and entry of the above Stipulation.



R. Lane Stebbins
Deputy Attorney General
Attorney for Complainant

Dated: June 25, 2012



Frederick T. Cunningham, Esq
Vice President of Legal Affairs for
Trump Taj Mahal Associates, LLC,
d/b/a/ Trump Taj Hotel Casino

Dated: 6/21/12